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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------|------------------|
| 10/017,210 | 12/13/2001 | Stephen C. Goss | 20-4-12 | 1204 |
| 7590 | 07/20/2004 | | EXAMINER | |
| Werner Ulrich 434 Maple Street Glen Ellyn, IL 60137-3826 | | | FOSTER, ROLAND G | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2645 | |
| | | | DATE MAILED: 07/20/2004 | |

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | |
|------------------------------|------------------------|---------------------|--|
| Office Action Summary | Application No. | Applicant(s) | |
| | 10/017,210 | GOSS ET AL. | |
| | Examiner | Art Unit | |
| | Roland G. Foster | 2645 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 13 December 2001.

2a) This action is FINAL. 2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-16 is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) Claim(s) _____ is/are allowed.

6) Claim(s) 1-16 is/are rejected.

7) Claim(s) _____ is/are objected to.

8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All b) Some * c) None of:

1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

| | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date: _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date: _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 5, 6, 13, and 14 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,544,224 to Jonsson et al. (hereinafter "Jonsson").

With respect to claims 5 and 13, Jonsson discloses a means for temporarily disconnecting a wireless customer where the customer sends special indication to disconnect (abstract and col. 4, liens 34-62). Jonsson also disclose making a record in a switching system of the meeting point to which the customer was connected (Fig. 1 and col. 2, lines 15-45). A port can be considered a physical interface between a device and circuit. Similarly, the set "meeting point" in the mobile services switching center (e.g., Fig. 1) would include a physical interface associated with the meeting point in the switch, in which the customer at mobile terminal 104 (device) communicates with the circuit belonging to called party 109. Thus, the switch "meeting point" comprises a port to which the customer at mobile terminal 104 is connected. Jonsson clearly discloses a means for re-connecting (abstract and col.4, lines 34-67).

With respect to claims 6 and 14, a new call is set up while the connection is temporarily suspended (col. 4, lines 45-51).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1, 2, 9, and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson in view of U.S. Patent No. 6,032,040 to Choy et al. (hereinafter "Choy").

With respect to claims 1 and 9, Jonsson discloses all within the claims (see the Jonsson, 102 rejection above for similar claims 5 and 13) except that the wireless connection is a "conference" connection.

However, Choy (similarly to Jonsson) teaches of a wireless, reconnection system (abstract) that reconnects a "conference" connection (col. 2, lines 45-67).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add the conference capability taught by Choy to Jonsson.

The suggestion/motivation for doing so would have been that "there is a need to provide a system...of automatically reconnecting all calls to a wireless terminal when a communications link carrying the call(s) is disconnected, without the limitations associated with the prior art" (Choy, col. 2, lines 39-43). Note that Jonsson is not limited to the ACB system criticized by Choy (Choy, col. 2, liens 28-35, Jonsson, col. 4, lines 38-62). Therefore, Jonsson will gain the benefit of reconnecting all calls a taught by Choy without requiring substantial structural modification.

With respect to claims 2 and 10, see the claim 6 rejection for further details.

Claims 3, 4, 7, 8, 11, 12, 15, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Jonsson (or Jonsson in view of Choy where applicable) as applied to claims 1, 5, 9, and 13 above.

Jonsson discloses that special indication and reconnect request uses a on hook/off hook sequence and a special code (col. 4, line 34 – 57) but fails to specifically disclose that the indication and request include keyed characters that are identical or that the indication terminates with a send code.

However, "Official Notice" is taken that both the concept and advantages of transmitting an on hook/off hook sequence using keyed characters including pressing the same (identical) "send key" and to terminal special dialed code features also by pressing the "send" key would have been well known and expected in the art of wireless telephones.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to add to the special indication and reconnect request commands that signal on hook/off hook and that transmit special codes as disclosed by Jonsson the use of the same (identical) "send" key to indicate on hook/off hook and to terminate special dialed codes.

The suggestion/motivation for doing so would have been to conform to wireless telephone industry standards and to increase operational efficiency where the send key is commonly and efficiently used to signal on hook/off hook and to terminate dialing sequences.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roland Foster whose telephone number is (703) 305-1491. The examiner can normally be reached on Monday through Friday from 9:00 a.m. to 5:30 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan S. Tsang, can be reached on (703) 305-4895. The fax phone number for this group is (703) 872-9309.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to customer service whose telephone number is (703) 306-0377.



Roland G. Foster
Primary Patent Examiner
June 28, 2004